

Issuance Date: May 21, 1999
Effective Date: July 1, 1999
Expiration Date: July 1, 2004

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE PERMIT No. [WA-000320-4](#)

State of Washington
DEPARTMENT OF ECOLOGY
Olympia, Washington 98504-8711

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Sound Refining Company
2628 Marine View Drive
Tacoma WA 98422

| | |
|---|---|
| <u>Facility Location:</u> 2628 Marine View Drive Tacoma, Washington | <u>Receiving Water</u> Hylebos Waterway, Commencement Bay |
| <u>Water Body I.D. No.:</u> WA – 10-0020 | Discharge Location Outfall 002 Latitude: 47°16' 40" N Longitude: 122° 23' 0" W Outfall 003 Latitude: 47°16' 40" N Longitude: 122° 23' 0" W Outfall 004 Latitude: 47°16' 40" N Longitude: 122° 23' 0" W |
| <u>Industry Type:</u> Petroleum Refinery | |

is authorized to discharge in accordance with the special and general conditions which follow.

Carol Kraege
Section Supervisor
Industrial Section
Washington State Department of Ecology

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SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

| Permit Section | Submittal | Frequency | First Submittal Date |
|----------------|--|--|---|
| S2.A | Discharge Monitoring Report | Monthly | 15th day following each month |
| S2.D | Additional Monitoring by the Permittee | as necessary with the discharge monitoring report | |
| S2.E | Noncompliance Notification | As necessary within 24 hours of discovery | |
| S2.F | Spill Reporting and Notification Reporting System | Once | October 1, 1999 |
| S2.F | Spill Reporting and Notification | as necessary in accordance with the reporting system | |
| S4 | Human Health Criteria Monitoring | 4/ permit cycle | |
| S4 | Human Health Criteria Report | 1/permit cycle | January 2, 2004 |
| S5.A.1 | Pollution Prevention Plan | 1/permit cycle | July 1, 2001 |
| S5.F | Pollution Prevention Plan – Stormwater Inspections | 2/year (wet and dry season) | Reported with Pollution Prevention Plan Progress Report |
| S5.F.2 | Pollution Prevention Plan – Inspection observation of unpermitted discharges | As necessary within 24 hours of discovery | |
| S5.G | Pollution Prevention Plan Evaluation and Progress Report | Annually | July 1, 2002 and annually thereafter |
| G1. | Notice of Change in Authorization | As necessary | |
| G4. | Permit Application for Substantive Changes to the Discharge | As necessary | |
| G5. | Engineering Report for Construction or Modification Activities | As necessary | |
| G7. | Application for permit renewal | 1/permit cycle | January 2, 2004 |
| G8. | Notice of Permit Transfer | As necessary | |

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

A. Stormwater Discharges (002 – 004)

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a concentration in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

Beginning on the effective date of this permit and lasting through the expiration date, the Permittee is authorized to discharge stormwater at the permitted locations subject to meeting the limitations specified on page 6.

Samples for Outfalls 002 –004 shall be obtained from the free flowing discharge at the end of the outfall pipe. The Ecology permit manager shall authorize any alternative methods to collect representative samples. Monitoring shall occur at the frequencies listed in the table on page 6.

Two (2) monitoring events during the year shall occur during a qualifying storm, defined as follows: minimum 0.1 inches rainfall volume, no fixed maximum rainfall volume, antecedent dry period 24 hours, inter-event dry period 6 hours. Grab samples during qualifying events must be collected 30 minutes after the rainfall begins to catch the “first flush” portion of the runoff event, or each drainage can be analyzed to determine what the appropriate time period to achieve first flush capture. These events should be specifically identified on the discharge monitoring report.

The remaining monitoring does not have to occur during a qualifying storm.

B. Mixing Zone Description (002 – 004)

The maximum boundaries of the mixing zones are defined as follows:

Each mixing zone for stormwater outfalls 002, 003 and 004 shall extend from the discharge port in a horizontal direction of no greater than 200 feet plus the depth of water at the discharge port as measured during mean lower low water but shall not occupy greater than 25% of the width of the water body as measured during mean lower low water.

Effluent Limitations and Monitoring Requirements for Outfalls #002, 003, 004

| Parameter | Units | Limitation | Monitoring Frequency/Sample Type |
|--|--------------|--|---|
| Oil and Grease | mg/l | The concentration of oil and grease in the discharge shall at no time exceed 15 mg/l, and shall not exceed 10 mg/l more than three days per month. | Twice/month grabs. At least 2 samples per year shall be first flush grabs collected during a qualifying event as described in S1A. |
| pH | | pH shall be maintained within the range of 6.0 to 9.0. | Twice/month grabs. At least 2 samples per year shall be first flush grabs collected during a qualifying event as described in S1A. |
| Total Suspended Solids | mg/l | Once/month grabs. At least 2 samples per year shall be first flush grabs collected during a qualifying event as described in S1A. | |
| Biochemical Oxygen Demand (5-day) | mg/l | Once/month grabs. At least 2 samples per year shall be first flush grabs collected during a qualifying event as described in S1A. | |
| Chemical Oxygen Demand | mg/l | Once/month grabs. At least 2 samples per year shall be first flush grabs collected during a qualifying event as described in S1A. | |
| Priority Pollutant Metals | µg/l | 2/ year. All samples shall be first flush grabs collected during a qualifying event as described in S1A. | |
| NWTPH-Dx | µg/l | 2/ year. All samples shall be first flush grabs collected during a qualifying event as described in S1A. | |
| NWTPH-Gx | µg/l | 2/ year. All samples shall be first flush grabs collected during a qualifying event as described in S1A. | |
| Human Health Parameters (See Appendix A) | µg/l | 4/Permit Cycle. All samples shall be first flush grabs collected during a qualifying event as described in S1A. | |
| Rainfall | Inches | Daily values shall be reported with the monthly DMR. | |
| Feedstock Rate barrels (bbls) | bbls per day | There is no limitation for this parameter. Daily values shall be reported. The monthly average and maximum day shall be reported in the monthly DMR. | |

C. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department).

D. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, Accreditation of Environmental Laboratories, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited.

E. Solid Waste Handling

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground or surface water. The Permittee shall not allow leachate from its solid waste material to enter state waters without providing all known, available, and reasonable methods of treatment, nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee shall apply for a permit or permit modification as may be required for such discharges to state ground or surface waters.

F. Storage Tank Wastewater

The operation of removing wastewater from oil, product, and intermediate distillate storage tanks shall be performed in a manner and with facilities as required to prevent the wastewater from draining or spilling onto the ground. Direct or indirect discharge of storage tank wastewater to surface water or groundwater is prohibited at the facility.

S2. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results shall be submitted monthly. Monitoring data obtained during the previous month shall be summarized and reported on the Discharge Monitoring Report (DMR) Form (EPA 3320-1) or equivalent and be received no later than the **15th day of the month** following the completed monitoring period, unless otherwise specified in this permit. In addition, a summary sheet, listing daily results for the parameters tabulated in Special Condition S1, including MDLs, and QLs (when applicable), shall be submitted to the Department. Priority pollutant analysis data shall be submitted no later than 45 days following the monitoring period. The report and summary sheet shall be sent to the Department of Ecology, Industrial Section, P. O. Box 47706, Olympia, Washington 98504-7706.

All lab reports providing data for organic and metal parameters shall include the following information: sampling date, sample location, date of analysis, parameter name, CAS number, analytical method/ number, method detection limit (MDL), lab practical quantitation limit (PQL), reporting units and concentration detected.

Discharge Monitoring Report forms must be submitted monthly whether or not the facility was discharging. If there was no discharge during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of

sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S1B. of this permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, correct the problem and, if applicable, repeat sampling and analysis of any violation immediately and submit the results to the Department within 30 days after becoming aware of the violation;
2. Immediately notify the Department of the failure to comply; and
3. Submit a detailed written report to the Department within thirty days (5 days for upsets and bypasses), unless requested earlier by the Department. The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

F. Spill Reporting and Notification

The Permittee shall prepare a description of the reporting system which will be used by the facility to alert responsible managers and legal authorities in the event of a spill or unplanned discharge of: 1) oil and petroleum products, 2) materials, when spilled or otherwise released into the environment, are designated Dangerous Waste (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070, or 3) materials which may become pollutants or cause pollution upon reaching state waters.

The reporting system description shall be submitted to the Department by **October 1, 1999**.

The Permittee shall notify the Department of any spills or unplanned discharges of the materials described above and in accordance with the facility's reporting system.

S3. OPERATION AND MAINTENANCE

The Permittee shall at all times be responsible for the proper operation and maintenance of any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit.

The Permittee shall immediately notify the Department of any spill or overflow from any portion of the stormwater collection, containment or treatment system.

S4. HUMAN HEALTH CRITERIA

The permittee shall characterize the effluent by sampling for the 91 human health criteria listed pollutants, excluding PCBs, and all pesticides except any listed pesticide that is used on the refinery site. The effluent shall be sampled and analyzed **4 times** during a qualifying storm during the life of the permit. The sampling events shall be spaced at least 6 months apart. Samples shall be collected during a qualifying storm as described in Permit Condition S1A. The data shall be submitted by **January 2, 2004**.

The permittee is required to achieve the best detection limit reasonably obtainable, for their specific stormwater effluent, using approved test methods. **Appendix A** tabulates the human health criteria parameters and the required detection limits.

S5. POLLUTION PREVENTION PLANNING

The Permittee shall continue to ensure proper operation and maintenance of the refinery, and tanks and appurtenances by following existing Standard Operating Procedures (SOPs) and Best Management Practices (BMPs). These procedures and other measures/facilities currently employed at the refinery to prevent or minimize the potential for release of pollutants to stormwater and/or waters of the state shall be continued or maintained unless modified by the pollution prevention plan required below.

The Permittee shall develop a pollution prevention plan for sources of water pollutants. The objective of the pollution prevention plan is to identify pollution prevention opportunities and implement those opportunities that are technically and economically achievable.

A. Plan Development and Implementation

The Permittee shall develop, implement, and comply with the pollution prevention plan in accordance with the following schedule:

1. By **July 1, 2001**, the Permittee shall develop a pollution prevention plan that addresses the specific requirements of Permit Condition S.5.C. The plan shall be submitted to the Department for review and approval.
2. The Permittee shall implement selected pollution prevention opportunities according to the timeframes specified in the plan or any plan modifications thereof.

Guidance used in developing a pollution prevention plan shall include the document Stormwater Pollution Prevention Planning for Industrial Facilities published by the Department of Ecology, the 'Pollution Prevention and Best Management Practices' section of the Ecology Permit Writer's Manual (Chapter XII.), the methodologies of the Pollution Prevention Planning Guidance Manual for Chapter 173-307 WAC (Revised December 1996) -- Worksheets G and H, and other information provided by the Ecology Permit Manager. The Permittee is expected to apply the methodologies from the existing guidance to cover other sources, pathways, or measures not covered within the strict scope of the WAC 173-307 guidance. Other information available to the Permittee may also be used in preparing the plan.

The approved pollution prevention plan and any modifications to the plan shall be followed throughout the term of the permit.

B. General Requirements

1. Plan Retention and Record Availability:
The pollution prevention plan shall be retained onsite or within reasonable access to the site. Staff training records shall be maintained onsite and be available for inspection.
2. Modifications:
The Permittee shall modify the pollution prevention plan whenever there is a change in design, construction, operation, or maintenance of the facility which significantly increases the generation or potential generation of water pollutants or causes the pollution prevention plan to be less effective in controlling pollutants. The Permittee shall provide for implementation of any modifications to the pollution prevention plan in a timely manner.

Modifications to the plan shall be submitted to the Department in the biennial report required in Permit Condition S.5.G.

C. Specific Requirements

1. Policy Statement and Signature:
The pollution prevention plan shall include a policy statement articulating management and corporate support for the plan and a commitment to implement the plan and to continued pursuit of pollution prevention opportunities. The plan and all its modifications shall be signed in accordance with Permit Condition G1.
2. Employee Involvement, Training and Awareness:
The pollution prevention plan shall include a description of personnel training and employee involvement programs that emphasize pollution prevention and solicit employee ideas about pollution prevention opportunities and other environmental issues.
3. Description of Current Pollution Prevention Activities:
The plan shall include a description of preventive measures and facilities already employed at the refinery to prevent, reduce, eliminate, or control releases of pollutants to stormwater, and/or waters of the state. **Best management practices (BMP's) currently in place, or as modified, shall be listed in the document.**
4. Description of Potential Pollutants and Sources:
The pollution prevention plan shall include a detailed description of the processes or activities that contribute or potentially contribute pollutants to stormwater, and/or waters of the state (surface water, groundwater, and wetlands). **The plan shall evaluate activities in all basins on the refinery site including the non-industrial areas (Basins A - H).** The plan shall identify the materials used, processed, stored, treated, or disposed of at the facility and the pollutants that are generated or potentially generated or released. The level of detail should be sufficient to help identify and understand how and why materials are used and pollutants generated or released.

The Permittee shall include in the plan all materials which may become pollutants or cause pollution upon reaching state waters, including, but not limited to: 1) bioaccumulative chemicals of concern, 2) oil and petroleum products and, 3) materials which, when spilled or otherwise released into the environment, would be designated Dangerous Waste (DW) or Extremely Hazardous Waste

(EHW) by the procedures set forth in WAC 173-303-070.

In determining which sources and pollutants to address in the plan, the Permittee shall use available sampling data as well as knowledge of processes and materials, and available information on the relative toxicity or hazard of materials. Sources of bioaccumulative chemicals of concern shall be included in the analysis.

5. Identification, Preliminary Evaluation, and Prioritization of Pollution Prevention Opportunities:

The plan shall identify pollution prevention opportunities and provide a preliminary evaluation of each opportunity's technical (including safety considerations) and economic feasibility. Based upon this evaluation and other factors, the opportunities shall be prioritized. In ranking opportunities, the Permittee shall consider pollutant loading and toxicity and the potential to achieve the greatest reduction with respect to time and costs.

The Permittee shall concentrate on opportunities that reduce or eliminate bioaccumulative chemicals of concern and SARA 313 hazardous substances, reduce impacts to stormwater, and reduce pollutants that would adversely impact receiving water and sediments.

The Permittee shall provide their rationale for how the pollution prevention opportunities are prioritized. In addition to technical and economical feasibility, other factors may influence ranking of opportunities and should be included in the discussion. These factors may include capital projects planned or ongoing at the refinery that will provide a benefit to environmental media other than water, corresponding reduction in safety risks, etc. Projects that achieve the highest environmental benefit shall have greater priority.

6. Technical and Economic Feasibility

The Permittee shall provide an analysis of technical and economical feasibility for the identified prevention opportunities.

In evaluating and selecting pollution prevention opportunities, the Permittee shall give preference first to those that eliminate, avoid, or reduce the generation of water pollutants at the source, second to those that recycle or reuse the pollutants, and third to those that provide at-source or near-source treatment to remove pollutants or render them less toxic or harmful.

Opportunities determined to be technically and economically feasible will be considered as known, available, and reasonable and therefore are required to be selected and scheduled for implementation. For each pollution prevention opportunity selected, the plan shall identify the process(es) or activities it affects, an estimate of the amount of pollutants reduced, and the environmental or other benefits that will be achieved.

7. Implementation Plan

The plan shall include a schedule for implementation of each selected opportunity. The Permittee is expected to establish reasonable priorities and schedules for implementation to achieve the greatest reduction in pollutant quantity and toxicity, as well as for management and fiscal necessity.

D. Considerations in Identifying, Evaluating, and Selecting Opportunities

1. In identifying, evaluating, and selecting pollution prevention opportunities for implementation, the Permittee shall consider the following:
 - A. All reasonably expected activities and conditions, such as normal operations, maintenance, and other ancillary activities; equipment failure; improper operation; upsets, accidents, spills, leaks; and natural events such as rainfall, snowfall, etc which could result in the release of pollutants to stormwater and/or waters of the state.
 - B. All areas of the refinery with potential for release of pollutants to stormwater and/or waters of the state including process units, raw material and product storage, handling and transfer facilities, material handling areas, maintenance areas, solid and hazardous waste storage, treatment, and disposal, and stormwater systems.
2. Cross-media shift of pollutants should be avoided, unless a clear net environmental benefit results, and compliance with standards applicable to other media or management programs would be maintained.
3. The following are examples of pollution prevention opportunities that may warrant evaluation:

- A. Improving and/or establishing new management practices and standard operating procedures addressing: increased training or supervision; improvements in inventory control, materials and waste handling, general operations, and housekeeping; preventive maintenance; and remedial measures
- B. Process or equipment modifications, including re-engineering processes to use less toxic input materials or to utilize by-products
- C. Material substitution
- D. Reducing material inputs
- E. Recycle/reuse of refinery waste, by-products, or process materials and fluids
- F. Application of water conservation methods, including water reuse
- G. Waste segregation and separation
- H. Alternative and/or enhanced treatment technology, including upstream treatment of pollutants

Other pollution prevention opportunities referenced in guidance documents may also be considered.

E. Incorporating Other Pollution Prevention Plans

The Permittee may incorporate applicable portions of plans prepared for other purposes. Plans or portions of plans incorporated into the pollution prevention plan become enforceable requirements of this permit.

F. Stormwater Inspections

The Permittee shall conduct two stormwater inspections per year; one during the wet season (October 1 - April 30) and the other during the dry season (May 1 - September 30). All refinery stormwater outfalls (**001 – 008**) and stormwater basins shall be inspected.

- 1. The wet season inspection shall be conducted during a rainfall event and shall include observations of the presence of any floating materials, suspended solids, oil and grease, discolorations,

turbidity, odor, etc. in stormwater runoff throughout the refinery that could contribute to a discharge off-site.

2. The dry season inspection shall determine the presence of unpermitted non-stormwater discharges such as sanitary wastewater, non-contact cooling water, process wastewater, and drainage from raw material/product/waste storage to the **stormwater drainage system**. If an unpermitted, non-stormwater discharge is discovered, the Permittee shall immediately notify the Department.

Inspections shall be conducted by staff who are knowledgeable and trained in the application of BMPs and pollution prevention activities at the refinery.

G. Plan Evaluation and Progress Reporting

The Permittee shall periodically evaluate the pollution prevention plan to ensure that it has been updated or otherwise modified to reflect current conditions, that measures to reduce or eliminate pollutant loadings selected in the plan are adequate and are being properly implemented in accordance with the terms of the permit, and whether any additional controls are needed. The plan shall be modified to include any changes as a result of this evaluation.

The Permittee shall submit a progress report by **July 1, 2002** and **annually** thereafter. The report shall identify the implementation status of each pollution prevention opportunity selected for implementation, the benefits or other results of implementation actions completed, and any modifications or updates to the plan. The report shall also include a summary of the results of stormwater inspections.

H. Continuous Improvement

In maintaining, implementing, and updating the pollution prevention plan, the Permittee is encouraged to employ continuous improvement principles, including the systematic and ongoing identification, evaluation, and implementation of pollution prevention opportunities in all decisions having environmental consequences.

S6. BEST MANAGEMENT PRACTICES

A record of inspections, maintenance, and disposal pertaining to best management practices shall be kept on file and available for review by the department. Upon completion of Ecology review and approval of the Pollution Prevention Plan required in Special Condition S.5, the following listed BMP's will be replaced or amended by the facility specific BMP's identified in the approved Pollution Prevention Plan.

1. Outfall 002 – 004 weir boxes shall be checked at each shift (3 times daily) for signs of oil and grease.
2. Outfall 002 – 004 weir boxes shall be cleaned, at a minimum, on a monthly basis at which time the excelsior straw bales and sorbent pads shall be replaced.
3. Tankfarm stormwater system valves shall remain in the closed position unless the basin is actively being drained. Stormwater Basin B (Outfall 3) is an exception to this requirement because of the continuously flowing groundwater spring crossing the Permittee's property.
4. Removable gates within the tankfarm containment berms shall remain closed at all times unless they are being actively used.
5. A daily inspection shall be conducted in the tankfarms for leaks, spills, and necessary preventive maintenance.
6. Drums of solid waste stored in the open on site shall be covered unless actively being filled or emptied.
7. All barrels, drums, or similar containers containing hazardous or toxic substances shall be stored in an upright position, in a bermed, covered area sufficient to prevent discharge into state ground or surface waters in the event of leakage or rupture.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed and certified.

- A. All permit applications shall be signed by either a responsible corporate officer of at least the level of vice president of a corporation, a general partner of a partnership, or the proprietor of a sole proprietorship.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by a person described above and submitted to the Department, and
 - 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. If an authorization under paragraph B.2. above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of B.2. must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

“I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

G2. RIGHT OF ENTRY

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit;
- B. To have access to and copy at reasonable times any records that must be kept under the terms of the permit;
- C. To inspect at reasonable times any monitoring equipment or method of monitoring required in the permit;
- D. To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities; and
- E. To sample at reasonable times any discharge of pollutants.

G3. PERMIT ACTIONS

This permit shall be subject to modification, suspension, or termination, in whole or in part by the Department for any of the following causes:

- A. Violation of any permit term or condition;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;
- D. A material change in the condition of the waters of the state; or
- E. Nonpayment of fees assessed pursuant to RCW 90.48.465.

The Department may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

G4. REPORTING A CAUSE FOR MODIFICATION

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a material change in the quantity or type of discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least 60 days prior to any proposed changes. Submission of this application does not

relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least 180 days prior to the planned start of construction. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee must apply for permit renewal at least 180 days prior to the specified expiration date of this permit.

G8. PERMIT TRANSFER

This permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department;
- B. A copy of the permit is provided to the new owner and;
- C. The Department does not notify the Permittee of the need to modify the permit.

Unless this permit is automatically transferred according to section A. above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by the Department.

G9. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G10. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G11. TOXIC POLLUTANTS

If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation upon such pollutant in the permit, the Department shall institute proceedings to modify or revoke and reissue the permit to conform to the new toxic effluent standard or prohibition.

G12. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G13. ADDITIONAL MONITORING

The Department may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G14. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department. The Department may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

G15. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.